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Dana T. Farmer (8371-Utah)
SMITH KNOWLES, P.C.
 4723 Harrison Blvd., Suite 200
 Ogden, UT 84403
 Telephone: (801) 476-0303
 Facsimile: (801) 476-0399
 Email: dfarmer@smithknowles.com

Shawn L. Morris (6753-Nevada)
WOODBURY, MORRIS & BROWN
 701 N. Green Valley Pkwy., Suite 110
 Henderson, NV 89074
 Telephone: (702) 933-0777
 Facsimile: (702) 933-0778
 Email: smorris@wmb-law.net

Attorneys for Halverson Mechanical, Inc.

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

The UNITED STATES OF AMERICA
 for the use and benefit of
 HALVERSON MECHANICAL, INC.;
 HALVERSON MECHANICAL, INC, a
 Utah corporation,

Plaintiffs,

vs.

DAVID BOLAND, INC., a Florida
 corporation; TRAVELERS
 CASUALTY AND SURETY COMPANY
 OF AMERICA, a Connecticut
 corporation,

Defendants.

**STIPULATED MOTION TO EXTEND
 DISCOVERY DEADLINES
 (First Request)**

Case No. 2:09-cv-01682-LRH-GWF

Magistrate Judge George Foley,
 Jr.

Judge Larry R. Hicks

COMES NOW Plaintiff Halverson Mechanical, Inc. (hereinafter "Halverson Mechanical"),
 by and through counsel of record, Dana T. Farmer of the law firm of Smith Knowles, P.C., and
 Defendants David Boland, Inc. (hereinafter "David Boland") and Travelers Casualty and Surety

1 Company of America, by and through counsel of record, Ryan E. Johnson of the law firm of
2 Watson Rounds, and hereby stipulate and jointly move the Court for an order extending the
3 discovery deadlines set forth in the parties' Stipulated Discovery Plan and Proposed Scheduling
4 Order.¹

5 Specifically, the parties respectfully request a three-month extension to following
6 discovery deadlines: (1) fact discovery; (2) expert witness identification; (3) expert witness
7 reports; and (4) rebuttal expert witness identification and reports. Accordingly, fact discovery
8 would conclude, with all written discovery answered, on or before March 31, 2010. Expert
9 witnesses, if any, would be identified on or before May 28, 2011. Expert witness reports would be
10 due on or before May 28, 2011. Finally, either party may identify an expert for purposes of
11 rebuttal and file a report for said expert, regardless of whether the party identified a primary expert
12 and submitted a report for that expert. Such rebuttal expert and report would be designated and
13 filed no later than July 30, 2011.

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15 The discovery completed to date includes a request made by Halverson Mechanical to the
16 United States Army Corps of Engineers (hereinafter "Army Corps") pursuant to the Freedom of
17 Information Act for certain documentation. This request was made on April 8, 2010. The
18 documents requested were necessary to enable Halverson Mechanical to provide David Boland
19 with a calculation of the amount of damages Halverson Mechanical is claiming as a result of
20 certain delays on the construction project at issue in this case.

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22 David Boland initially contacted the Army Corps to object to the disclosure of the
23 requested documents on the grounds that the requested documentation was confidential and
24 propriety business information but withdrew its objection in late August after discussions between
25

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27 ¹ The Court Docket does not indicate that the Court signed or otherwise entered
28 the Stipulated Discovery Plan and Proposed Scheduling Order, which was filed
with the Court on March 2, 2010, as the governing scheduling order in this
case.

1 counsel. The Army Corps did not provide Halverson Mechanical with the requested
2 documentation until September 7, 2010. As a result of this delay, the parties' mediation, which
3 was originally scheduled to begin on June 16, 2010, has been rescheduled for November 2, 2010
4 in order to allow Halverson Mechanical additional time to develop its claim and provide additional
5 information to David Boland.

6 If the mediation does not result in a resolution of the claims asserted in this case, it is
7 anticipated that the parties will conduct oral depositions and propound written discovery requests
8 in the form of admissions, interrogatories, and requests for production of documents.
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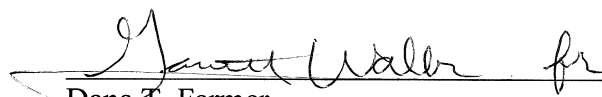
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1 Since it would be difficult, if not impossible, for the parties to complete fact discovery as
2 proposed in the parties' Stipulated Discovery Plan and Proposed Scheduling Order due to the
3 delay in receiving the documents requested by Halverson Mechanical from the Army Corps, the
4 parties respectfully request that the discovery deadlines be extended as set forth above.

5 DATED this 16th day of September, 2010.

6
7 **SMITH KNOWLES, P.C.**


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9 
10 Dana T. Farmer
11 *Attorneys for Halverson Mechanical, Inc.*

12 DATED this 16th day of September, 2010.

13 **WATSON ROUNDS**

14
15 /s/
16 Ryan E. Johnson
17 *Attorneys for David Boland, Inc. and Travelers Casualty and*
18 *Surety Company of America*

19 **IT IS SO ORDERED:**

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21 
22 Judge George Foley, Jr.
23 *United States Magistrate Judge*

24 DATED: September 20, 2010